PUBLIC NOTICE

PERMIT APPLICATION NUMBER: NRS 08.142

APPLICANT: WDW Properties, LLC

P.O. Box 9905

Chattanooga, Tennessee 37412

423-593-8181

This public notice is being amended and re-published to inform the public that this project, previously published under public notice (PN-08.52), referenced a mitigation project being proposed by the applicant to provide compensatory mitigation for the historical impact of approximately 0.25 acres of wetland located along Wolftever Creek and the east side of Little Debbie Parkway in Ooltewah, Tennessee. This compensatory mitigation plan was actually a requirement of an enforcement action (Director's Order WPC08-0055), issued on May 14, 2008. This notice serves to inform the public that no further permitting action is required, and the compensatory mitigation plan will be conducted under the requirements of Director's Order WPC08-0055.

LOCATION: The proposed alterations occurred along Wolftever Creek and the east side of Little Debbie Parkway, just before the bridge over Wolftever Creek. (Lat: 35.08302°, Long: -85.06596°)

WATERSHED DESCRIPTION: The aquatic resource proposed to be altered is within the Lower Tennessee River Watershed (HUC 06020001). The resource is a wetland area, approximately 0.25 acres, running along Wolftever Creek on the east side of Little Debbie Parkway. The Lower Tennessee River Watershed and Wolftever Creek have been classified for the following designated uses: fish and aquatic life, irrigation, livestock watering and wildlife, and recreation.

PROJECT DESCRIPTION: The applicant had previously filled this wetland area for the development of the Little Debbie Medical Office. After a June 2007 site inspection by the division and further investigation, the applicant proposes to provide compensatory mitigation for this impact. Mitigation will consist of creating approximately 1 acre of wetland at a mitigation site located at the Woodland Park Baptist Church

In accordance with the Tennessee Antidegradation Statement (Rule 1200-4-3-.06), the division has determined that the proposed activity will not result in degradation to water quality. This notice may be viewed on the internet at:

http://www.state.tn.us/environment/wpc/ppo/arap.

PERMIT COORDINATOR: Chip Hannah

USGS TOPOGRAPHIC QUADRANGLE: Ooltewah, TN Quadrangle 112 – SE

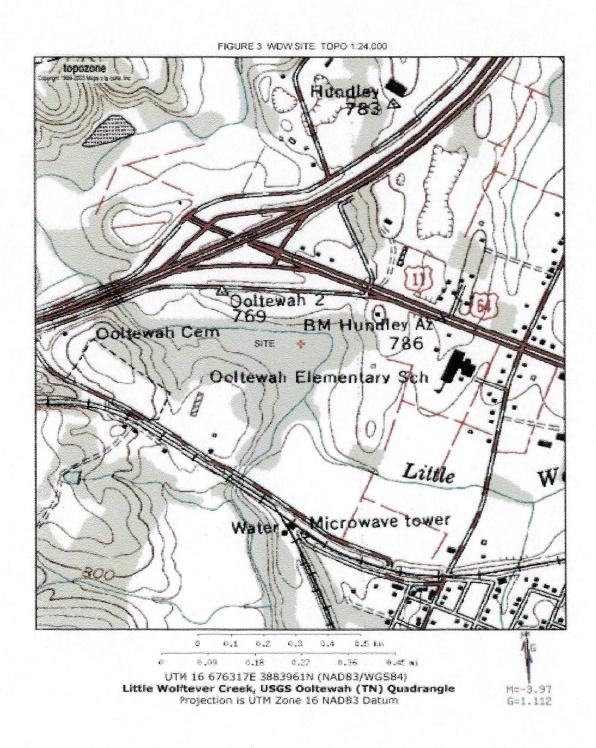
No decision has been made whether to issue or deny this permit. The purpose of this notice is to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. Persons wishing to comment on the proposal are invited to submit written comments to the department. Written comments must be received within THIRTY (30) DAYS of the date that this notice is posted. Comments will become part of the record and will be considered in the final decision. The applicant's name and permit number should be referenced.

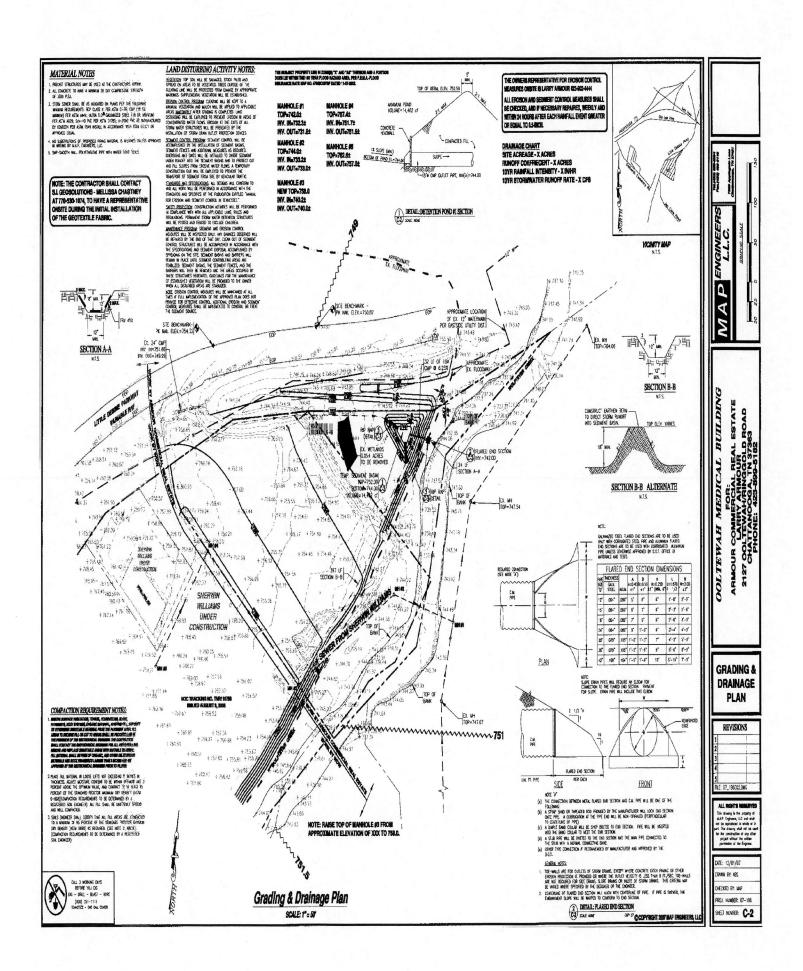
Interested persons may also request in writing that the department hold a public hearing on this application. The request must be filed within the comment period, indicate the interest of the person requesting it, the reasons that the hearing is warranted, and the water quality issues being raised. When there is sufficient public interest in water quality issues, the department will hold a public hearing.

The permit application, supporting documentation including detailed plans and maps, and related comments are available at the department's address for review and/or copying. The department's address is:

Tennessee Department of Environment & Conservation Division of Water Pollution Control, Natural Resources Section 7th Floor L & C Annex 401 Church Street Nashville, TN 37243

In deciding whether to issue or deny a permit, the department will consider all comments on record and the requirements of applicable federal and state laws.







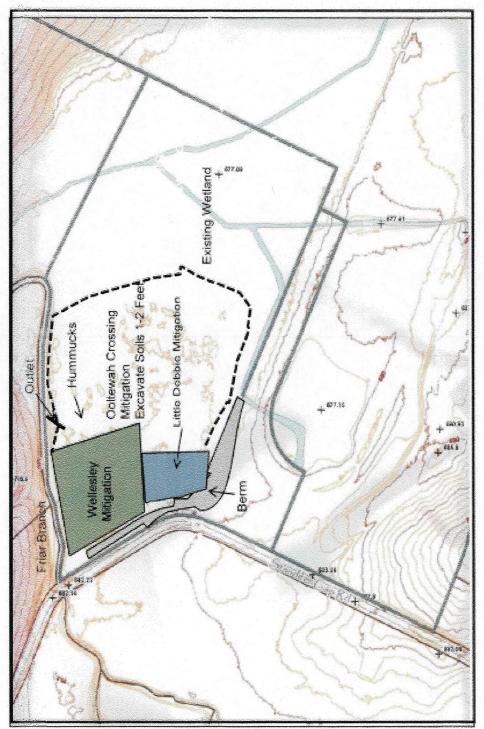


Figure 11. Excavation Plan Woodland Park Mitigation Site

Source Hamilton Co., TN, GIS Department http://gis.hamiltontn.gov/mapmaker/home.asp. Scale 1" = 200 ft. Elevation Contours = 2 feet

